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21 UNITED STATES DISTRICT COURT
22 FOR THE CENTRAL DISTRICT OF CALIFORNIA
23 WESTERN DIVISION

24 UNITED STATES OF AMERICA,) NO. CV 13-06792 RSWL (MANx)
25 Plaintiff,)
26 vs.) **CONSENT JUDGMENT OF FORFEITURE**
27 \$80,240.00 IN U.S. CURRENCY,)
28 Defendant.)

29 Plaintiff and Claimant Gabriel Mercado ("Claimant") have
30 made a stipulated request for the entry of this Consent
31 Judgment, resolving this action in its entirety. The defendant
32 currency was seized from Claimant, and he asserts an interest in

1 the defendant currency but has not filed a claim in this case or
2 answered the complaint. However, Claimant would have filed a
3 claim and answer in this case absent this settlement. No other
4 claims or answers were filed, and the time for filing claims and
5 answers has expired. No other person is believed to have any
6 claim to the defendant currency.

7 The Court, having considered the stipulation of the
8 parties, and good cause appearing therefor, **HEREBY ORDERS**

9 **ADJUDGES AND DECREES:**

10 1. The government has given and published notice of this
11 action as required by law, including Rule G of the Supplemental
12 Rules for Admiralty or Maritime Claims and Asset Forfeiture
13 Actions, Federal Rules of Civil Procedure, and the Local Rules
14 of this Court. Claimant has not filed a claim in this case or
15 answered the complaint. However, Claimant would have filed a
16 claim and answer in this case absent this settlement. No other
17 claims were filed, and the time for filing claims and answers
18 has expired. This Court has jurisdiction over the parties to
19 this judgment and the defendant currency. Any potential
20 claimants to the defendant currency other than Claimant are
21 deemed to have admitted the allegations of the complaint with
22 respect to the defendant currency.

23 2. \$4,000.00 of the defendant currency, without interest,
24 shall be returned to Claimant through his counsel. The United
25 States Marshals Service shall return the defendant \$4,000.00 not
26 later than 45 days after (a) the court enters this Consent
27 Judgment and (b) Claimant provides to the government the bank
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1 routing and personal identifiers needed to effect a wire
2 transfer of the funds, whichever is later.

3 3. The government shall have judgment against the
4 interests of Claimant (and any potential claimants) as to the
5 remaining \$76,240.00 in U.S. currency, which asset is hereby
6 forfeited and condemned to the United States, and no other
7 right, title or interest shall exist therein. The government
8 shall dispose of the forfeited asset according to law.

9 4. Claimant has agreed to release the United States of
10 America, its agencies, agents, and officers, including employees
11 and agents of the Drug Enforcement Administration ("DEA"), as
12 well as all agents, officers, employees and representatives of
13 any state or local government or law enforcement agency involved
14 in the investigation or prosecution of this matter, from any and
15 all claims, actions or liabilities arising out of or related to
16 the seizure and retention of the defendant currency and/or the
17 commencement of this civil forfeiture action, including, without
18 limitation, any claim for attorneys' fees, costs or interest
19 which may be asserted on behalf of Claimant against the United
20 States, whether pursuant to 28 U.S.C. § 2465 or otherwise.

21 5. The court finds that there was reasonable cause for the
22 seizure of the defendant currency and the institution of this
23 action as to the defendant currency. This judgment constitutes
24 a certificate of reasonable cause pursuant to 28 U.S.C. § 2465
25 as to the defendant currency.

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1 6. Each of the parties shall bear its own fees and costs
2 in connection with the seizure, retention and return of the
3 defendant bank currency.

4 The clerk shall close this action.

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7 DATED: 12/13/2013

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9 **RONALD S.W. LEW**

10 THE HONORABLE RONALD S.W. LEW
11 SENIOR U.S. DISTRICT JUDGE

12 Prepared by:

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